

105TH CONGRESS
2D SESSION

H. R. 3845

To amend title 10, United States Code, to establish in the Department of Defense a new unified command for joint forces to have responsibility for providing ready joint forces to the commanders of regional combatant commands and to conduct joint experimentation to further develop joint military forces.

IN THE HOUSE OF REPRESENTATIVES

MAY 12, 1998

Mr. THORNBERRY introduced the following bill; which was referred to the
Committee on National Security

A BILL

To amend title 10, United States Code, to establish in the Department of Defense a new unified command for joint forces to have responsibility for providing ready joint forces to the commanders of regional combatant commands and to conduct joint experimentation to further develop joint military forces.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Joint Forces Command
5 Act of 1998”.

1 **SEC. 2. UNIFIED COMMAND FOR JOINT FORCES.**

2 (a) IN GENERAL.—Chapter 6 of title 10, United
3 States Code, is amended by adding at the end the follow-
4 ing new section:

5 **“§ 169. Joint forces command**

6 “(a) ESTABLISHMENT.—With the advice and assist-
7 ance of the Chairman of the Joint Chiefs of Staff, the
8 President, through the Secretary of Defense, shall estab-
9 lish under section 161 of this title a unified combatant
10 command for joint forces (hereinafter in this section re-
11 ferred to as the ‘joint forces command’). The principal
12 functions of the command are—

13 “(1) to integrate elements of the different
14 armed forces into joint forces, to prepare those
15 forces to be provided to the commanders of other
16 combatant commands to carry out assigned mis-
17 sions, and to provide those forces as required by
18 those commanders; and

19 “(2) to design, develop, and carry out a process
20 of joint experimentation to assist in determining the
21 future capabilities, organization, and operational
22 concepts of the joint military force.

23 “(b) ASSIGNMENT OF FORCES.—(1) Unless otherwise
24 directed by the Secretary of Defense, all active and reserve
25 forces stationed in the continental United States other

1 than those specified in paragraph (2) shall be assigned
2 to the joint forces command.

3 (2) Special operations forces covered by section
4 167(b) of this title and forces assigned to a functional
5 combatant command shall not be assigned to the joint
6 forces command.

7 “(c) GRADE OF COMMANDER; SELECTION.—(1) The
8 commander of the joint forces command shall hold the
9 grade of general or, in the case of an officer in the Navy,
10 admiral, while serving in that position, without vacating
11 his permanent grade. The commander of such command
12 shall be appointed to that grade by the President, by and
13 with the advice and consent of the Senate, for service in
14 that position.

15 “(2) The Secretary of Defense may recommend an
16 officer to the President for appointment as commander of
17 the joint forces command only after seeking a rec-
18 ommendation from the Secretary of each military depart-
19 ment for that recommendation. In the case of the Sec-
20 retary of the Navy, the Secretary of Defense shall seek
21 a recommendation of both a Navy officer and a Marine
22 Corps officer.

23 “(d) AUTHORITY AND RESPONSIBILITIES OF COM-
24 BATANT COMMANDER.—(1) In addition to the authority
25 prescribed in section 164(c) of this title, the commander

1 of the joint forces command shall be responsible for, and
2 shall have the authority to conduct, all joint force activities
3 related to the responsibilities specified in paragraphs (2)
4 and (3) for forces assigned to that command in consulta-
5 tion with the Chairman of the Joint Chiefs of Staff, and
6 other activities as directed by the Secretary of Defense.

7 “(2) In carrying out the function specified in sub-
8 section (a)(1), the commander of the joint forces command
9 shall be responsible for, and shall have the authority to
10 conduct, the following functions relating to joint forces:

11 “(A) Planning, conducting, and assessing the
12 joint training of assigned forces, including joint task
13 force command and staff.

14 “(B) Developing joint doctrine, operational con-
15 cepts, and joint tactics, techniques, and procedures.

16 “(C) Preparing and submitting to the Secretary
17 of Defense program recommendations and budget
18 proposals for forces assigned to the joint forces com-
19 mand.

20 “(D) Conducting ‘red team’ vulnerability as-
21 sessments against fielded and developmental systems
22 to determine whether these systems are effective in
23 countermeasure environments.

24 “(E) Integrating training facilities and areas of
25 the separate armed forces to assure consistency in

1 the application of joint doctrine, tactics, techniques,
2 and procedures.

3 “(F) Conducting specialized joint courses of in-
4 struction for commissioned and noncommissioned of-
5 ficers.

6 “(G) Assisting in the development of joint
7 training and analytical simulation systems.

8 “(H) Assessing the interoperability of equip-
9 ment and forces and making recommendations to
10 the Secretary of Defense and the Chairman of the
11 Joint Chiefs of Staff for the reduction of unneces-
12 sary redundancy across equipment, forces, and train-
13 ing and experimentation facilities and programs in
14 the continental United States.

15 “(I) Recommending plans to the Secretary of
16 Defense and the Chairman of the Joint Chiefs of
17 Staff to synchronize the fielding of advanced tech-
18 nologies across the armed forces to enable the devel-
19 opment and execution of joint operational concepts.

20 “(J) Submitting, reviewing, and making rec-
21 ommendations to the Chairman of the Joint Chiefs
22 of Staff on mission needs statements and operational
23 requirements documents for major warfighting plat-
24 forms, munitions, and enabling capabilities in the
25 areas of—

1 “(i) command, control, communications,
2 and computers;

3 “(ii) intelligence, surveillance, and recon-
4 naissance;

5 “(iii) logistics;

6 “(iv) force protection; and

7 “(v) other areas designated by the Sec-
8 retary of Defense.

9 “(K) Ensuring the joint readiness of forces as-
10 signed to the joint forces command, in accordance
11 with guidance from the Chairman of the Joint
12 Chiefs of Staff.

13 “(L) Monitoring the joint preparedness of joint
14 forces deployed from bases in the continental United
15 States and assigned to the commander of a unified
16 combatant command other than the joint forces
17 command.

18 “(M) Integrating the capabilities of forces of
19 the different armed forces to achieve the joint
20 warfighting capabilities required by the commanders
21 of the unified combatant commands.

22 “(N) Providing trained and ready joint forces
23 in support of the mission requirements of the com-
24 manders of the unified combatant commands.

1 “(3) In carrying out the function specified in sub-
2 section (a)(2), the commander of the joint forces command
3 shall be responsible for, and shall have the authority to
4 conduct, the following functions relating to joint experi-
5 mentation:

6 “(A) Developing a process of joint experimen-
7 tation comprised of simulations, wargames, vulner-
8 ability assessments, experiments, and exercises con-
9 ducted in virtual and actual field environments.

10 “(B) Developing equipment required by the
11 joint force in the conduct of joint experimentation,
12 to include the identification and use of surrogate or
13 real technologies, platforms, and systems.

14 “(C) Establishing joint battle laboratories and
15 coordinating with battle laboratories of the different
16 armed forces to investigate advanced technologies,
17 changes in organizational structures, or new joint
18 operational concepts.

19 “(D) Establishing or coordinating for the devel-
20 opment of joint training centers, to include urban
21 warfare training centers.

22 “(E) Establishing a Joint Concepts Develop-
23 ment Center focused on meeting future operational
24 challenges.

1 “(F) Developing scenarios and measures of ef-
2 fectiveness for experimentation activities.

3 “(G) Assessing the effectiveness of organiza-
4 tional structures, operational concepts, and tech-
5 nologies, platforms, and systems employed in joint
6 experimentation activities.

7 “(H) Acquiring material, supplies, and services
8 required for the conduct of joint experimentation.

9 “(I) Exercising authority, direction, and control
10 over the expenditure of funds for the conduct of
11 joint experimentation activities of forces assigned to
12 the joint forces command.

13 “(J) Integrating and testing in joint experi-
14 ments those systems and concepts which emerge
15 from service or agency experimentation activities.

16 “(K) Developing and recommending to the
17 Chairman of the Joint Chiefs of Staff requirements
18 for future joint warfighting capabilities.

19 “(L) Advising the Secretary of Defense and the
20 Chairman of the Joint Chiefs of Staff in establishing
21 priorities for joint requirements and acquisition pro-
22 grams as they relate to joint warfighting capabilities.

23 “(e) JOINT EXPERIMENTATION FORCE.—The com-
24 mander of the joint forces command shall establish with
25 assigned forces from each of the armed forces a joint ex-

1 perimentation force to carry out the commander's joint ex-
2 perimentation responsibilities.

3 “(f) ANNUAL REPORT ON JOINT EXPERIMEN-
4 TATION.—(1) The commander of the joint forces com-
5 mand shall submit to the Secretary of Defense an annual
6 report describing the conduct of joint experimentation ac-
7 tivities by the command during the preceding year. Each
8 such report shall include the number of such activities
9 and, for each such activity, the following:

10 “(A) A description of the forces involved.

11 “(B) The operational challenges addressed.

12 “(C) The assessed results.

13 “(2) Each such report shall include the commander's
14 comments on the effect of each activity on the trans-
15 formation process, to include recommendations on the de-
16 velopment or procurement of advanced technologies, sys-
17 tems, or platforms, and recommendations for changes in
18 force structure, operational concepts, joint doctrine, and
19 resource allocation.

20 “(3) The Secretary of Defense shall submit to Con-
21 gress the annual report of the commander of the joint
22 forces command under paragraph (1), together with the
23 comments of the Secretary and the Chairman of the Joint
24 Chiefs of Staff on the report. The Secretary shall submit

1 the report each year in conjunction with the submission
2 of the President's budget for the next fiscal year.

3 “(g) BUDGET.—(1) The Secretary of Defense shall
4 establish a separate major force program category for
5 joint experimentation activities. This program category
6 shall be administered by the commander of the joint forces
7 command, who shall have planning, programming, budget-
8 ing, and execution authority.

9 “(2) In addition to the activities of a combatant com-
10 mand for which funding may be requested under section
11 166(b) of this title, the budget proposal of the joint forces
12 command shall include requests for funding for the follow-
13 ing:

14 “(A) Research and development of equipment
15 required by the joint force in the conduct of joint ex-
16 perimentation.

17 “(B) Procurement of material, supplies, and
18 services required for the conduct of joint experimen-
19 tation.

20 “(C) Operations and maintenance expenditures
21 associated with the conduct of joint experimentation
22 activities.

23 “(D) Operation of joint battle laboratories and
24 joint concept development centers.

1 “(3) Subject to the authority, direction, and control
2 of the Secretary of Defense, the commander of the joint
3 forces command, in carrying out his responsibilities under
4 subsection (d), shall have authority to exercise the func-
5 tions of the head of an agency under chapter 137 of this
6 title.

7 “(h) BUDGET SUPPORT FOR JOINT FORCE ACTIVI-
8 TIES.—(1) Before the budget proposal for the joint forces
9 command for any fiscal year is submitted to the Secretary
10 of Defense, the commander of the joint forces command
11 shall consult with the Secretaries of the military depart-
12 ments concerning funding for joint force experimentation.
13 If the Secretary of a military department does not concur
14 in the recommended level of funding with respect to such
15 experimentation that is under the jurisdiction of the Sec-
16 retary, the commander shall include with the budget pro-
17 posal submitted to the Secretary of Defense the views of
18 the Secretary of the military department concerning such
19 funding.

20 “(2) Before the budget proposal for a military depart-
21 ment for any fiscal year is submitted to the Secretary of
22 Defense, the Secretary of that military department shall
23 consult with the commander of the joint forces command
24 concerning funding for participation in joint experimen-
25 tation in the military personnel, operations and mainte-

1 nance, procurement, or research and development account
2 in that military department. If the commander of the joint
3 forces command does not concur in the recommended level
4 of funding with respect to joint experimentation activities,
5 the Secretary shall include with the budget proposal sub-
6 mitted to the Secretary of Defense the views of the com-
7 mander of joint forces command.

8 “(i) STAFF FOR COMMANDER, JOINT FORCES COM-
9 MAND.—(1) The Secretary of Defense shall provide suffi-
10 cient staff for the commander of the joint forces command
11 to carry out his duties and responsibilities, including par-
12 ticularly his duties relating to the following functions:

13 “(A) Developing equipment and acquiring mate-
14 rial, supplies, and services required for the process
15 of joint experimentation.

16 “(B) Designing, conducting, and assessing joint
17 experimentation activities.

18 “(C) Operating joint battle laboratories and
19 concept development centers.

20 “(D) Managing assigned resources from the
21 major force program category for joint experimen-
22 tation activities of the Future-Years Defense Plan of
23 the Department as required to be created pursuant
24 to subsection (g).

1 “(2) The commander of the joint forces command
2 shall appoint an acquisition executive with appropriate au-
3 thority to conduct all required contracting actions and re-
4 views associated with research and development and pro-
5 curement programs.

6 “(3) The staff of the joint forces command shall in-
7 clude an inspector general who shall conduct internal au-
8 dits and inspections of purchasing and contracting actions
9 through the joint forces command and such other inspec-
10 tor general functions as may be assigned.

11 “(j) REGULATIONS.—The Secretary of Defense shall
12 prescribe regulations for the activities of the joint forces
13 command. Those regulations shall include authorization
14 for the commander of the command to provide operational
15 security of joint forces while under that commander’s com-
16 batant command authority during joint activities con-
17 ducted in the continental United States.

18 “(k) CONTINENTAL UNITED STATES.—In this sec-
19 tion, the term ‘continental United States’ means the 48
20 contiguous States and the District of Columbia.”.

21 (b) CLERICAL AMENDMENT.—The table of sections
22 at the beginning of such chapter is amended by adding
23 at the end the following new item:

“169. Joint forces command.”.

1 **SEC. 3. IMPLEMENTATION.**

2 (a) **EFFECTIVE DATE.**—The joint forces command
3 required to be established by section 169 of title 10,
4 United States Code, as added by section 2, shall be estab-
5 lished not later than October 1, 1999.

6 (b) **IMPLEMENTATION PLAN.**—The Secretary of De-
7 fense shall submit to Congress an implementation plan for
8 the joint forces command. The plan shall be submitted in
9 conjunction with submission of the President’s budget for
10 fiscal year 2000.

11 (c) **INITIAL BUDGETING.**—The Secretary of Defense
12 shall request funding for the implementation of joint
13 forces command in the President’s budget for fiscal year
14 2000. Funding for a major force program category for
15 joint experimentation shall be included in the President’s
16 budget beginning with fiscal year 2001.

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